SOUTH AUSTRALIA

2024

REPORT

OF THE

ELECTORAL DISTRICTS

BOUNDARIES COMMISSION

ELECTORAL DISTRICTS BOUNDARIES COMMISSION
2024

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Order of the Commission

Pursuant to Part 5 of the *Constitution Act 1934* (SA), the Electoral Districts Boundaries Commission now makes and publishes an order making an electoral redistribution, namely, the redistribution delineated and described in the district plans contained in the schedule to this order. The names of the electoral districts appear above each plan. The relationship of the electoral districts to one another is delineated in the three rack plans numbered 1511, 1512 and 1513 which are deposited with the Surveyor-General, Adelaide. Any inconsistencies between the rack plans and the district plans are to be resolved in favour of the district plans.

The Electoral Districts Boundaries Commission declares that the relevant date for the purpose of section 77 of the *Constitution Act 1934* (SA) is 30 June 2024. The total number of electors on the electoral roll on that day was 1,288,896, such that the electoral quota for each of the 47 House of Assembly electoral districts is 27,423.

Any elector or registered political party has a right to appeal against this order to the Court of Appeal within one month of its publication in accordance with section 86 of the *Constitution Act 1934* (SA).

This order shall be published in the Gazette.

Made at Adelaide this 12th day of December 2024 by the Electoral Districts Boundaries Commission.

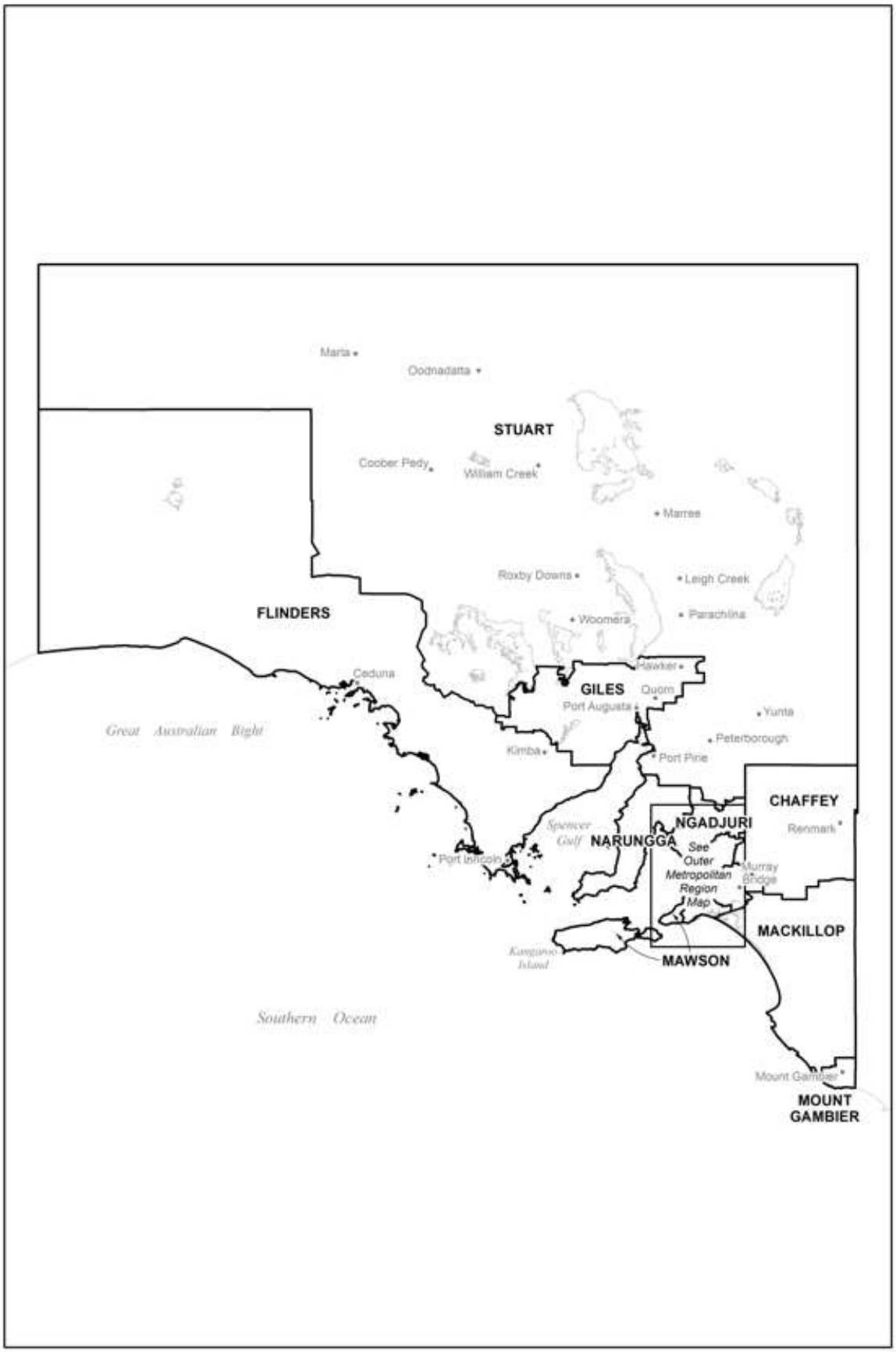
The Honourable Justice A E Bampton – Chair

Mr M Sherry – Member

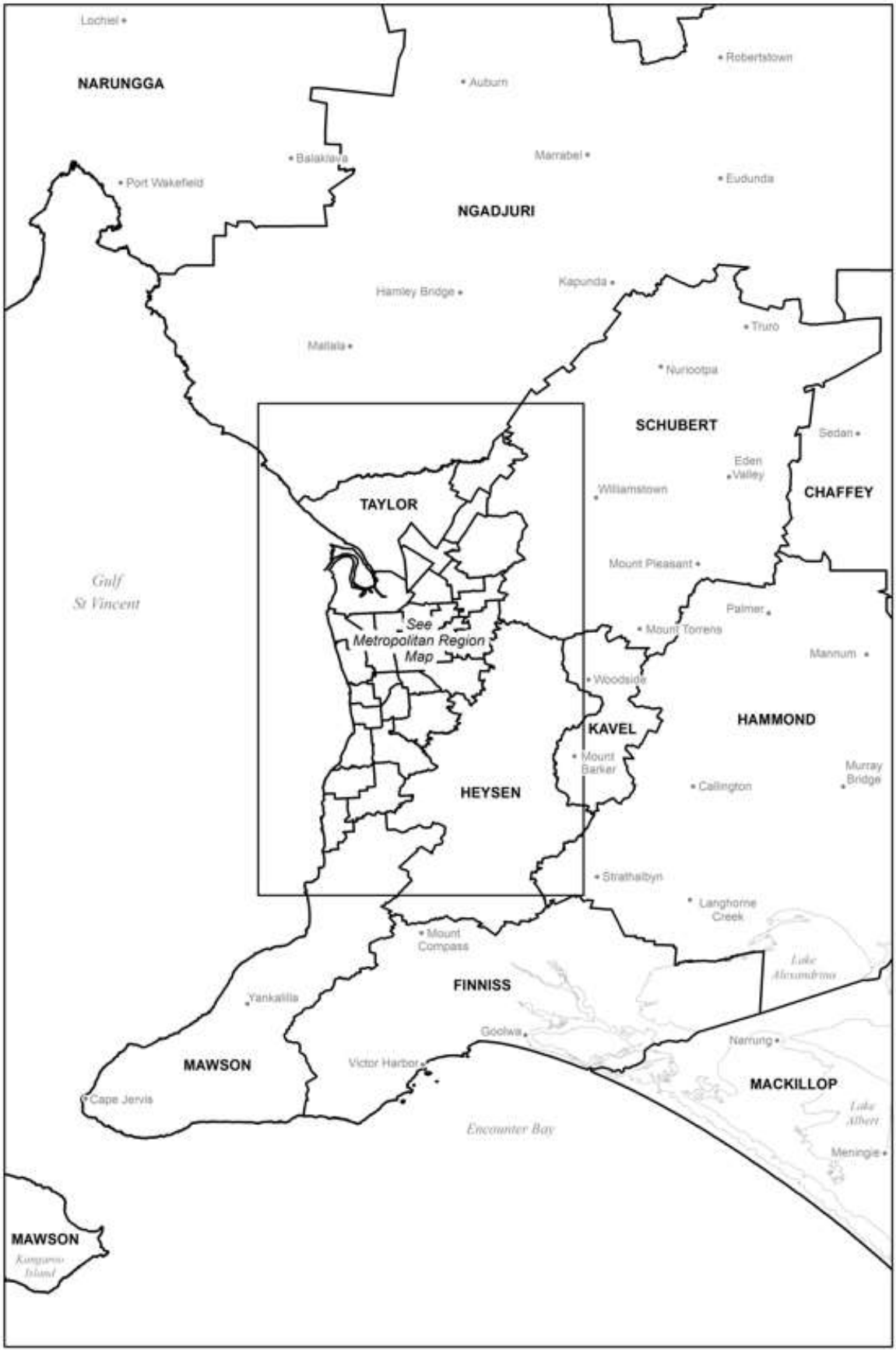
Mr B Slape – Member

Mr D Gully – Secretary

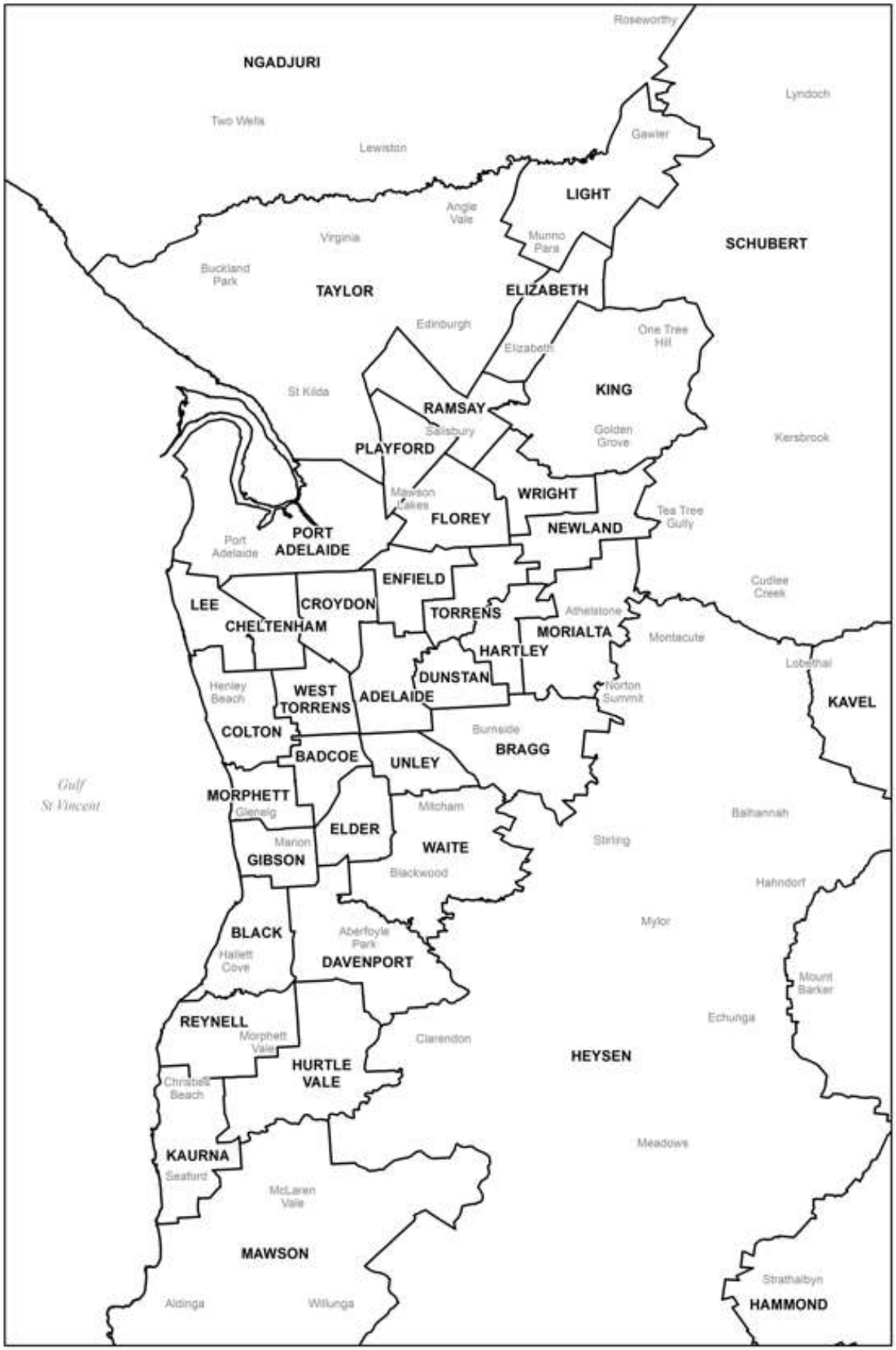
2024 electoral redistribution – statewide



2024 electoral redistribution – outer metropolitan region



2024 electoral redistribution – metropolitan region



REPORT OF THE ELECTORAL DISTRICTS BOUNDARIES COMMISSION 2024

Preliminary

The Electoral Districts Boundaries Commission ("the Commission") was established by an amendment to the *Constitution Act 1934* (SA) ("the *Constitution Act*") in 1975. The Commission is a permanent and independent body. Its statutory members are a Judge of the Supreme Court, the Electoral Commissioner, and the Surveyor-General.

It is the task of the Commission to redraw the boundaries of each House of Assembly electoral district ("electoral district") whenever an occasion prescribed by section 82(2) of the *Constitution Act* arises ("electoral redistribution"). The usual occasion is following the holding of a general House of Assembly election. The Commission is required to commence proceedings for the purpose of making an electoral redistribution within 24 months after each polling day and to complete the proceedings with all due diligence.

Appointment of Chairperson

By notice published in the South Australian Government Gazette on 19 October 2023, the Honourable Chief Justice appointed the Honourable Justice Tim Stanley to be the Chairman of the Commission with the appointment to take effect from 30 October 2023.

Application for recusal of Justice Stanley

Upon that appointment, the Liberal Party of South Australia (South Australian Division) ("the Liberal Party") made an oral application during a hearing on 9 November 2023 for Justice Stanley to recuse himself from performing the function of Chairman by reason of apprehended bias ("the recusal application"), which was said to arise from his Honour's historical association with the Australian Labor Party (SA Branch) ("the Labor Party"). In November 2023, advertisements were published in The Advertiser and the Sunday Mail and notice was given to the 13 registered officers of the parties registered in South Australia, as well as the Australian Democrats (SA Division) ("the Democrats"), inviting submissions on the recusal application. The form of the advertisement and the dates on which it was published in The Advertiser and the Sunday Mail are set out in Appendix 1 to this report.

The recusal application was heard by Justice Stanley, without the other members of the Commission, during a public hearing on 5 December 2023. In his reasons for declining to recuse himself delivered on 19 December 2023, his Honour said he did not consider that a fair-minded lay observer might draw any logical connection between the factors relied on by the Liberal Party in support of its application and an apprehended deviation from resolving the questions which the work of the Commission requires to be decided on their merits, given the effluxion of time since he had any involvement with the Labor Party. His Honour also considered that a fair-minded lay observer would appreciate that for the past 12 years he had discharged the duties of a judge. His Honour reasoned a fair-minded lay observer would understand that a judge's training, tradition, and the judicial oath to do right to all

manner of people according to law without fear or favour, affection or ill-will, required him to discard the irrelevant, the immaterial and the prejudicial. Accordingly, his Honour was not persuaded that a fair-minded lay observer might reasonably apprehend that he might not bring an impartial mind to the resolution of the questions the Commission would be required to decide and therefore dismissed the application.

Justice Stanley's judgment for refusing the recusal application can be found on the Commission's website.

Recusal

After dismissing the recusal application, Justice Stanley, as detailed in his second judgment on recusal, became aware that a close, personal friend, whom he had known for 50 years, is one of two directors and shareholders of ALP Holdings Pty Ltd, the corporate entity which holds the Labor Party's property and assets. His Honour explained that each elected member of the Labor Party pays a levy to the party to fund its operations and administration. Accordingly, decisions concerning the drawing of electoral boundaries which may affect the number of Labor Party candidates elected to the House of Assembly at a State election may affect the Labor Party's funding and, ultimately, its property and assets. In those circumstances, his Honour considered that a fair-minded lay observer, aware of his existing association with one of the two directors and shareholders of ALP Holdings Pty Ltd, might consider that he might not bring an impartial mind to the drawing of electoral boundaries which could indirectly affect the property and assets of the Labor Party. His Honour considered, unlike the matters that formed the basis of the recusal application, this friendship was not a historical matter. As a result, his Honour recused himself on the basis of apprehended bias on 27 December 2023.

Justice Stanley's judgment recusing himself can also be found on the Commission's website.

Appointment of Justice Bampton

Following Justice Stanley's recusal, the Chief Justice appointed the Honourable Justice Anne Bampton, the most senior puisne Judge available to undertake the duties of Chairperson of the Commission, pursuant to section 78(1) of the *Constitution Act*, with the appointment to take effect from 5 January 2024.

Present members of the Commission

In addition to Justice Bampton, Chairperson, the present members of the Commission are the Electoral Commissioner, Mr Mick Sherry, and the Surveyor-General, Mr Bradley Slape.

Commencement of the Commission's proceedings for the purpose of making an electoral redistribution

A general election for the House of Assembly took place on 19 March 2022 ("the 2022 election"). The Commission commenced its present proceedings in February 2024, having published an advertisement in January 2024 in The Advertiser and other metropolitan and regional newspapers, inviting representations from interested

persons in relation to the electoral redistribution. The form of the advertisement and a list of all the newspapers in which it was published, with the respective publication dates, are set out in Appendix 2.

The persons or bodies from whom the Commission received written representations are listed in Appendix 3. All were given the opportunity to appear before the Commission, in person or by counsel or other representative, and to give or call oral evidence. The Commission held the public hearings listed in Appendix 4 in the Supreme Court complex, 1 Gouger Street, Adelaide. Appendix 4 also details the name of the witness called before the Commission and the names of persons and bodies who made oral submissions. A list of all exhibits received by the Commission is set out in Appendix 5.

During the hearings, the Commission had the valuable assistance of Mr T A Besanko who was instructed by the Commission, as well as Mr T Duggan KC and Mr J Teague MP for the Liberal Party, Mr B Doyle KC and Mr A Tisato for the Labor Party, and Mr P Black for the Democrats.

During the ongoing work of the Commission, the public has had access, via the Commission's website, to the representations lodged, transcript of the public hearings, and exhibits received by the Commission, as well as advance notice of future hearings. General information about the Commission, relevant legislation, and previous reports and exhibits dating back to 2003 have also been available for viewing. Exhibits referred to in this report but not reproduced as appendices may be viewed on the website at www.edbc.sa.gov.au.

The legislation

The statutory redistribution criteria

Section 77 of the *Constitution Act* governs the basis of an electoral redistribution:

> **77—Basis of redistribution**
>
> (1) Whenever an electoral redistribution is made, the redistribution shall be made upon the principle that the number of electors comprised in each electoral district must not (as at the relevant date) vary from the electoral quota by more than the permissible tolerance.
>
> (2) In this section—
>
> ***electoral quota*** means the nearest integral number obtained by dividing the total number of electors for the House of Assembly (as at the relevant date) by the number of electoral districts into which the State is to be divided as at the first polling day for which the order is to be effective;
>
> ***permissible tolerance*** means a tolerance of ten per centum;
>
> ***the relevant date*** means a date specified in an order as the relevant date, being a date falling not earlier than six months before the date of the order.

Section 82 prescribes when the Commission must commence proceedings for the purpose of making an electoral redistribution and section 83 prescribes the criteria to which the Commission must have regard:

> **83—Criteria**
>
> (2) In making an electoral redistribution, the Commission must have regard, as far as practicable, to—
>
> (a) the desirability of making the electoral redistribution so as to reflect communities of interest of an economic, social, regional or other kind;
>
> (b) the population of each proposed electoral district;
>
> (c) the topography of areas within which new electoral boundaries will be drawn;
>
> (d) the feasibility of communication between electors affected by the redistribution and their parliamentary representative in the House of Assembly;
>
> (e) the nature of substantial demographic changes that the Commission considers likely to take place in proposed electoral districts between the conclusion of its present proceedings and the date of the expiry of the present term of the House of Assembly,
>
> and may have regard to any other matters it thinks relevant.

As detailed in the 2020 report of the Commission ("the 2020 report"), the *Constitution Act* was amended by the *Constitution (One Vote One Value) Amendment Act 2017* (SA) ("the Amendment Act"). The Amendment Act removed sections 83(1) and 83(3) and added section 83A. As the Commission noted in the 2020 report, section 83A does not impose any obligation or requirement on the Commission and is not relevant to this electoral redistribution.

Following the removal of sections 83(1) and 83(3), sections 77 and 83(2) were left as the critical provisions governing an electoral redistribution. The Full Court, in *Martin v Electoral Districts Boundaries Commission (*"*Martin*"),[1] interpreted and ascribed meaning to sections 77 and 83(2). The Commission determined in the 2020 report that sections 77 and 83(2) continued to bear the meanings ascribed to them by the Court in *Martin* notwithstanding the passage of the Amendment Act and, further, that the Commission is bound to undertake the electoral redistribution in accordance with those sections as interpreted by the Court.

The 2020 electoral redistribution and the 2022 election results

Prior to the 2022 election, the House of Assembly was comprised of 22 Liberal Party members, 19 Labor Party members and six independent members, namely, Mr Bell MP (the Member for Mount Gambier), the Honourable Geoffrey Brock MP (the Member for Frome), Mr Ellis MP (the Member for Narungga), Ms Bedford MP (the

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[1] (2017) 127 SASR 362.

Member for Florey), the Honourable Daniel Cregan MP (the Member for Kavel), and Mr Duluk MP (the Member for Waite).

The 2020 electoral redistribution resulted in 27 electoral districts notionally on the Liberal Party side of the swing-to-lose pendulum (the swing-to-lose pendulum is explained in the following section of this report) compared with 20 electoral districts on the Labor Party side. Florey remained a notionally Labor Party electoral district, while Mount Gambier and Frome, remaining as notional Liberal electoral districts, were joined by Waite following the departure of Mr Duluk from the Liberal Party in February 2020. Subsequently, Narungga and Kavel also became notional Liberal Party electoral districts following the departures of Mr Ellis and Mr Cregan from the Liberal Party in February 2021 and October 2021 respectively. The pendulum demonstrated that if the Labor Party achieved 50.1 percent of the two-party preferred vote, representing a uniform swing of two percent in its favour, it would have been able to win 24 electoral districts and form government by gaining the electoral districts of Newland, Adelaide, King, and Elder.

The 2020 report also included a pendulum which assumed a 50:50 vote, resulting in 24 electoral districts on the Liberal Party side as against 23 electoral districts on the Labor Party side (Appendix 16 to the 2020 report). The most marginal electoral districts were Elder on the Liberal Party side, with a swing-to-lose figure of 0.1 percent, as well as King and Adelaide on the Labor Party side, both of which had a swing-to-lose figure of 1.1 percent.

Appendix 6 contains a comparison of projected electors at the time of the 2020 report against actual enrolments at the time of the 2022 election.

At the 2022 election, the Labor Party won 27 electoral districts and the Liberal Party won 16 electoral districts, with the result that the Labor Party was able to form government in its own right. The electoral districts of Kavel, Mount Gambier, and Narungga were retained by their sitting members, Mr Cregan, Mr Bell, and Mr Ellis respectively, who had each contested their electoral districts as independents. Mr Brock (the sitting Member for Frome) was elected to the electoral district of Stuart. Defeats were suffered by Mr Duluk and Ms Bedford (the Member for Florey), who contested the electoral district of Newland.

Overall, the swing away from the Liberal Party was not uniform. The Labor Party won 54.6 percent of the notional two-party preferred vote while the Liberal Party won 45.4 percent, representing a statewide swing of 6.5 percent in favour of the Labor Party.

Appendix 7 is the swing-to-lose pendulum depicting the outcomes following the 2022 election.

By-elections for the electoral districts of Bragg, Dunstan and Black were held on 9 July 2022, 6 April 2024 and 16 November 2024 respectively. The electoral district of Bragg was won by a Liberal Party candidate and the Labor Party won the electoral districts of Dunstan and Black, resulting in two electoral district changes in the Labor Party's favour.

In July 2023, Mr McBride MP, who had retained the electoral district of MacKillop in the 2022 election, suspended his Liberal Party membership and took up a position on the crossbench.

The relevant date

The Commission must specify a relevant date for the purpose of defining the electoral quota under section 77 of the *Constitution Act*. It must be a date falling not earlier than six months before the date of the Commission's final order. It is necessary for this purpose to have regard to the Commission's likely timetable, and also to the state of the joint electoral roll that is used by the Australian Electoral Commission and the Electoral Commission of South Australia within the relevant period. The electoral redistribution is made on the basis that the relevant date is 30 June 2024.

The electoral quota

The State's enrolled elector population on the relevant date was 1,288,896. The electoral quota, which is the basis of any electoral redistribution, is obtained by dividing the total number of electors as at the relevant date by the number of electoral districts to the nearest integral number. The electoral quota for this electoral redistribution is therefore 27,423.

The elector numbers for any electoral district must not diverge from the electoral quota by more than 10 percent as at the relevant date. However, the Commission is also required by section 83(2)(e) of the *Constitution Act* to have regard to the substantial demographic changes that are likely to take place in the proposed electoral districts before the expiry of the present term of the House of Assembly.

Demographic changes which are expected to occur between the relevant date and the period within which the next election will take place were the subject of evidence given by Mr Chris Rudd (Manager Analytics and Forecasting, Department for Trade and Investment). The Commission accepts Mr Rudd's evidence.

The Commission has also considered the population projected on 30 June 2026, being the nearest available date to March 2026 when the next election is due, which is estimated to be 1,328,188. On that basis, the projected electoral quota is 28,259. These figures appear in Appendix 8.

Methodology of the Commission

The Commission, as it did in the 2020 report, considers that the desirability of achieving numerical equality between electoral districts as at the relevant date and on election day is a relevant factor in this electoral redistribution, but not to the exclusion of those matters identified in section 83(2)(a) to (e) of the *Constitution Act*. Further, the Commission, for the reasons set out in the 2020 report, also considers it appropriate to have regard to the principle of electoral fairness and the existing boundaries. The Commission has approached its task by adopting the following methodology.

First, as the existing boundaries were drawn by the Commission in the 2020 report in accordance with the matters identified in section 83(2) of the *Constitution Act*, the

Commission considers the existing boundaries, together with the principle of minimal disturbance, are relevant and an appropriate starting point.

Second, the Commission has ensured that all electoral districts were kept within a 10 percent tolerance as at the relevant date, as required by section 77 of the *Constitution Act*. Further, to give effect to the desirability of achieving numerical equality between electoral districts, the Commission has approached its task in this electoral redistribution by trying, where possible, to achieve electoral districts with electoral quota variances of less than five to seven percent.

Third, the Commission set all electoral districts within the 10 percent tolerance at election day based on its projections.

Fourth, the Commission has had regard to the mandatory relevant considerations contained in sections 83(2)(a) to (e) of the *Constitution Act* and has sought to give effect to those considerations to the extent possible having regard to the requirements of section 77.

Fifth, the Commission has, consistently with the approach adopted by the Commission in its 2020 report, had regard to what has been referred to as the "swing-to-lose pendulum" to determine the extent to which the proposed boundaries achieve statewide electoral fairness. The pendulum is used as a tool to assess political fairness. It is prepared by comparing the total votes from the previous election between the two final candidates in each electoral district. Where this contest is not between Labor Party and Liberal Party candidates, a notional outcome is derived by undertaking a re-throw of the ballot papers between the Labor Party and Liberal Party candidates in each electoral district. In accordance with this methodology, the outcome (or notional outcome) of each electoral district from the last election is reflected by its placement on either the Liberal Party or Labor Party side of the pendulum. As the Commission did in the 2020 report, we agree with the observations made in the 2016 report of the Commission that:

> … the use of the swing-to-lose pendulum is familiar to those with an interest in the work of the Commission. That familiarity has been assumed for the purposes of this Report. The pendulum is a tool available to the Commission, but its limitations must be acknowledged. … They include that swings are not uniform and that it is not possible to estimate accurately numbers of swinging voters, that it is not possible to assess precisely the impact of movement of boundaries and that the greater the number of voters moved in or out of a district, the greater the "error" will be.

Calculation of the elector to population ratio

The Commission adopted the methodology identified by the Commission in its 2020 report for calculating the elector to population ratio based upon Statistical Area Level 2 ("SA2") population projections. SA2 are the smallest geographical areas for which the Australian Bureau of Statistics ("ABS") publishes annual population estimates. These areas are designed to represent communities that interact together socially and economically and typically have a population range of 3,000 to 25,000 people. The methodology adopted involves a process of aggregating the projected 18+ population data and enrolled elector data to each of the 172 separate SA2s across the State. That process is considered to provide a finer grain assessment for calculating the ratio of electors to population at an SA2 level.

The application of the SA2 elector ratio to the projected 18+ population for each concordant Statistical Area Level 1 ("SA1") provides a more geographically specific estimate of enrolled electors as most SA1s have a population of 200 to 800 people. The resulting SA1 elector estimates can then be aggregated by electoral district to provide the number of projected electors for each existing and proposed electoral district.

These projections are guided by demographic trends and contemporary information relating to residential development activity that is likely to drive population growth across Greater Adelaide to June 2026. In regional South Australia, analysis of recent population changes coupled with information about key economic developments is used to inform the projection process.

Demographic evidence was heard from Mr Rudd during a public hearing held by the Commission on 6 February 2024. Exhibit 10, "Demographic trends and projections for the Electoral Districts Boundaries Commission 2022-2026", tendered during Mr Rudd's evidence, was prepared by the Department for Trade and Investment and outlines the projected population of each electoral district.

Due to unforeseen influences that may affect the future size and distribution of the population, the Commission acknowledges that there is need for caution when using projections. However, pursuant to section 83(2) of the *Constitution Act*, it is required to have regard to likely demographic changes when conducting the electoral redistribution and it anticipates that the above approach will lead to more accurate projections.

Representations and submissions before the Commission

Representations received before the publication of the draft report

The Commission acknowledges the written representations it has received. Following receipt of written representations, the Commission held a further public hearing on 12 June 2024 during which the Commission heard oral submissions made by Mr Peake OAM, Mr Fulbrook MP (the Member for Playford), the Labor Party, the Liberal Party, and the Democrats. The following discussion provides an overview of the representations made to the Commission.

The Commission received a representation from the Electoral Reform Society which advocated for multi-member electorates. However, as the Commission has stated in previous reports, the Commission does not have the power to make such a change in an electoral redistribution.

The Australian Greens (SA Greens) ("the Greens") proposed that Heysen "[shift] to encompass parts of the 'peri-urban' hills face, while exporting the outer regions of the current Heysen electorate into surrounding areas that better align as communities of interest". The proposed peri-urban areas included "portions of the Hills community of Waite and Bragg". The Commission is of the view that this representation did not adequately account for flow-on effects to other electoral districts.

Additionally, accepting that the Commission is entitled, although not required, to take fairness into account in making an electoral redistribution, the Greens proposed that

the Commission should view fairness considerations "through a multi-party lens". It was submitted that "any application of 'fairness' should be broadened to reflect 'multi-partisanism' and [recognise] that we are not simply a two-party system". The Commission notes that the pendulums in Appendices 7, 13, and 14 are no more than a depiction of the alignment of electoral districts to the Liberal Party and Labor Party based on the most recent election results, including on a notional basis where the electoral district is held by a candidate not aligned with either party.

The electoral districts of Giles, Kaurna, Kavel and Taylor were identified as being outside of the projected electoral quota tolerance on 30 June 2026. The Democrats submitted that "None of those four electorates are geographically proximate to each other. Increasing numbers in electorates below quota and decreasing numbers in electorates above quota will have flow-on effects in neighbouring electorates".

The continuing decline in the number of projected electors as against the electoral quota in the electoral districts of Flinders, Giles and Stuart was also acknowledged. This is exacerbated by two of Stuart's neighbouring electoral districts, Narungga and Chaffey, also being projected to be well below the electoral quota. The Democrats submitted that it was "inevitable that the inexorable clockwise movement of the electoral boundaries in the West, far North and mid North of the State must continue (at least unless the State Parliament were to amend s 27 of the *Constitution Act* to increase the number of members of the House of Assembly) – and that movement must occur in the present redistribution". The Democrats also suggested the Commission should be wary of setting electoral district boundaries at the outer bounds of the permissible tolerance, "other than to give effect to the mandatory criteria in [section] 82(2)", given the possible volatility of population projections.

The Liberal Party submitted that the Commission should have regard to statewide electoral fairness and "the desirability of minimising the disturbance to the existing boundaries". It was further submitted that "in affording a fair contest it will be necessary to adjust the boundaries so that there is a group of electoral districts which are in play and which will change hands on an incremental basis in the event of a change in voter sentiment".

The Liberal Party emphasised that the proposals in its representation were necessarily of a provisional nature as the relevant date data was not yet available. The Liberal Party representation refers to a projected electoral quota calculated by reference to the current and projected enrolment and voting data contained in exhibits 13B and 13C. The Commission notes that the boundary changes proposed by the Liberal Party would result in the four country electoral districts of Flinders, Giles, Narungga, and Stuart being significantly below the projected electoral quota at -8.4 percent, -9.7 percent, -7.2 percent, and -7.8 percent respectively. Further, boundary changes proposed by the Liberal Party would result in eight metropolitan electoral districts having a projected electoral quota variance of at or outside ±7.0 percent, namely Croydon (+8.1 percent), Florey (+9.3 percent), Gibson (-8.2 percent), Light (+7.0 percent), Ramsay (+7.7 percent), Reynell (+8.2 percent), Taylor (+7.4 percent), and Unley (+7.2 percent). Overall, the Liberal Party's proposals would result in 12 of the 47 electoral districts being at or above ±7.0 percent of the projected electoral quota.

In assessing the 2022 election result, the Labor Party submitted that the Commission's 2020 electoral redistribution produced an "appropriate result" from a statewide electoral fairness perspective, given that "the party that won the [two-party preferred] State-wide vote secured at least 24 [electoral districts]". The Labor Party nevertheless said that there was "a slight bias of 0.4% or 0.5% in favour of the Liberal Party". The Labor Party explained, by reference to the five most marginal Labor Party electoral districts on the 2022 election pendulum, that if the 2022 election were recontested and the Liberal Party obtained a uniform statewide two-party preferred swing of 4.2 percent, the Liberal Party would secure 24 electoral districts, thereby allowing it to form government with only 49.6 percent of the statewide vote.

The Labor Party acknowledged that the "actual and projected elector numbers for this redistribution appear to offer the Commission a genuine choice between making minimal change to the existing electoral boundaries and making more significant change to establish more sustainable boundaries for the medium to longer term". While an approach of minimal disturbance is available to the Commission, the Labor Party representation proposed "more substantial change, by altering the northern-most regional [electoral] districts of the State (Flinders, Giles and Stuart) so they are no longer under-quota". It was also submitted that Port Augusta should be reunited.

Submissions received following the publication of the draft report

The Commission published its draft report on 15 August 2024 and published a notice on the same day in The Advertiser inviting submissions from interested persons about the draft report. The form of the advertisement is set out in Appendix 9.

The Commission received 21 written submissions. The authors of these submissions and the date on which they were received by the Commission are set out in Appendix 10. The Commission determined that each written submission could be considered without the need for a further public hearing.

A significant number of submissions related to the Commission's proposed boundary changes in metropolitan areas, particularly the alteration to the boundary between Croydon and West Torrens. Further, a number of submissions proposed changes in the southern beachside electoral districts of Reynell, Black, Gibson and Morphett.

The draft report proposed relocating the suburb of Bowden and a portion of the suburb of Brompton from Croydon into West Torrens to balance electoral quota variances between those electoral districts. Twelve submissions, in addition to the Labor Party submission, raised concerns with this proposed change and highlighted the shared history and strong community links between Bowden and Brompton. The Member for Croydon, the Honourable Peter Malinauskas MP, submitted that the proposed change would "undermine the deep and long-standing connection between the suburbs of Bowden and Brompton, which function as a unified community".

The Commission in its draft report also proposed addressing the electoral quota variance in Kaurna by moving electors into the neighbouring district of Reynell, then moving further electors through Black, then into Gibson. Electors would finally be moved into Morphett, which is projected to have an electoral quota variance of -6.6 percent on 30 June 2026 if its boundaries are not changed.

The Commission received submissions following the publication of the draft report raising concerns with this proposal, including from the Liberal Party and the Labor Party, namely with the relocation of the suburb of Old Reynella from Reynell into Black, the suburb of South Brighton from Black into Gibson and part of the suburb of Somerton Park from Gibson into Morphett. The Commission notes the Labor Party's submission that the southern boundary of Morphett has been altered by each electoral redistribution since at least 2003.

Having considered the submissions described above, as well as the principle of minimal disturbance, the Commission has determined to retain the boundaries set in the 2020 electoral redistribution in respect of five electoral districts, being Croydon and West Torrens, and the southern beachside electoral districts of Black, Gibson and Morphett. While this results in projected electoral quota variances for these electoral districts ranging from -6.6 percent (Morphett) to +8.1 percent (Croydon) on 30 June 2026, the Commission notes that these electoral districts have electoral quota variances of -5.7 percent and +3.8 percent respectively as at the relevant date such that they remain well within the ±10 percent tolerance. The Commission may need to address the boundaries of these electoral districts in the next electoral redistribution.

The Commission is mindful that implementing alternative alterations to those proposed in the draft report would result in changes being made without them having been the subject of submissions. However, to offset the movement of the suburb of Christie Downs into Reynell from Kaurna, the Commission has determined to relocate a small portion of the suburb of Morphett Vale from Reynell into Hurtle Vale. These electoral districts consequently have an electoral quota variance of +1.0 percent (Kaurna), +6.2 percent (Hurtle Vale), and +1.4 percent (Reynell) as at the relevant date. The Commission notes that these districts are projected to have electoral quota variances of +1.3 percent (Kaurna), +3.5 percent (Hurtle Vale), and +1.0 percent (Reynell) on 30 June 2026.

Three submissions addressed the inclusion of the suburb of Hewett in the electoral district of Frome. While the Liberal Party submitted that this proposed boundary change would create a hybrid rural-suburban electoral district, the Labor Party proposed also including part of the suburb of Willaston in Frome. The Commission has determined not to depart from the boundary delineated in the draft report having regard to the boundary between the Local Government Areas of the Light Regional Council (which includes the suburb of Hewett) and the Town of Gawler.

A submission was also received by the Commission from Mr Sam Telfer MP, the Member for Flinders, regarding the proposal in the draft report to include the Aṉangu Pitjantjatjara Yankunytjatjara Lands ("APY Lands") within the electoral district of Flinders. The submission raised concerns with the distance the Member for Flinders would be required to travel between the electoral district's "several disparate population centres of… reasonable size" and the APY Lands to visit the area in person, noting that the latter remains without reliable telecommunications access. Mr Telfer also highlighted the shared community of interest between Coober Pedy (which is located in the electoral district of Stuart), Port Augusta and the APY Lands including because the APY Lands are "serviced by a combination of Coober Pedy, Port Augusta, Alice Springs and Adelaide". Finally, the submission pointed to the "permanent disconnect" between the communities living in the APY Lands and those living in the

adjoining Maralinga Tjarutja Council, which is headquartered and accesses services in Ceduna.

The Commission also notes the submission received from the Port Augusta City Council, which similarly highlighted the movement of people between the APY Lands to Coober Pedy and Port Augusta, the provision of services to the APY Lands and the Flinders Ranges by Port Augusta and the tourism trails that connect Port Augusta to the Flinders Ranges and APY Lands.

Mr Telfer's submission attached a letter from Far West Community Partnerships, a partnership of the five Aboriginal communities in the far west region of South Australia: Ceduna, Koonibba, Scotdesco, Yalata, and Oak Valley (Maralinga). The letter raises a concern that including the APY Lands in the electoral district of Flinders would "contribute to a reduction in representation and visitation to the existing areas and unique communities already in [Flinders]".

The Commission has determined to retain the boundaries of the electoral district of Flinders set in the 2020 electoral redistribution, resulting in an electoral quota variance of -5.2 percent as at the relevant date and a projected electoral quota variance of -8.0 percent on 30 June 2026. However, given the reunification of Port Augusta within the electoral district of Giles, and having regard to the association between the APY Lands and Coober Pedy, the Commission has determined to relocate the APY Lands to the electoral district of Stuart.

Impact of the 2024 electoral redistribution

The Commission notes, given the 2020 electoral redistribution and the outcome of the 2022 election, it is possible to achieve minimal disturbance in this electoral redistribution. The only electoral district outside the allowable electoral quota tolerance as at the relevant date was Taylor at +12.6 percent, which was projected to have an electoral quota variance of +18.6 percent on 30 June 2026. Five additional electoral districts were projected to have a variance to electoral quota at or above ±8.0 percent on 30 June 2026: Croydon (+8.1 percent), Flinders (-8.0 percent), Giles (-10.1 percent), Kaurna (+10.0 percent), and Kavel (+10.0 percent).

Although the Commission had proposed in its draft report to change the boundaries of Flinders, Black, Croydon, Gibson, Morphett, and West Torrens, the Commission has, for reasons already stated in this report, determined to retain the boundaries of these electoral districts set in the 2020 electoral redistribution. To address the significant projected electoral quota variances in respect of the other identified electoral districts, with associated flow-on adjustments to neighbouring electoral districts, the Commission has made changes to 16 electoral districts, being approximately one third of the 47 electoral districts. As explained above, it has also had regard to the principle of electoral fairness.

Appendix 11 summarises the boundary changes and their impact on electors. It identifies the 31 districts with no boundary changes. The 16 districts with boundary changes are shown with the number of current electors affected by the proposed changes, which is in the order of 38,894. This is compared with 222,000 electors moved as a result of the 2020 electoral redistribution.

Appendix 12 sets out the present and projected enrolments for each electoral district after the 2024 electoral redistribution. The Commission has achieved an outcome where only five electoral districts have a projected variance to quota of greater than ± 5.0 percent.

Appendix 13 represents, in the form of the swing-to-lose pendulum, the political consequences of the 2024 electoral redistribution. Apportioning the 2022 election Labor/Liberal two-party preferred figures to the 2026 projected elector population results in a 55.0 percent Labor Party to 45.0 percent Liberal Party outcome. On that basis, the Liberal Party should expect to win 24 electoral districts and form government if it achieves a uniform 5.1 percent swing.

Appendix 14 illustrates the electoral district allocation based on a 50:50 split of the two-party preferred vote on the basis of the 2024 electoral redistribution. On that basis, the Labor Party would win 24 electoral districts and the Liberal Party would win 23 electoral districts. The Commission notes that, while the 50:50 split places 24 electoral districts on the Labor Party side of the pendulum, the most marginal electoral district of Newland at 0.1 percent reflects a margin of approximately 28 votes. As set out above, Newland would become a Liberal Party electoral district if a 5.1 percent swing were achieved in favour of the Liberal Party.

The Commission does not consider that it should attempt to deliver a predicted outcome with a greater level of precision than that currently estimated based on the results from the 2022 election.

Naming of the electoral districts

Playford

The Commission received written and oral submissions from Mr Fulbrook (the Member for Playford) requesting that the electoral district of Playford be renamed to reduce confusion with the Local Government Area, the City of Playford, which is in the near vicinity, but presently not situated in the electoral district of Playford. Mr Fulbrook gave an example of the confusion when his office received 30 calls on one day from City of Playford ratepayers concerning a proposed 6.5 percent increase in council rates. Mr Fulbrook made it clear that he was not advocating for the Commission to cease using the name Playford as an electoral district, but rather that the name be used for an electoral district in another location, like the present electoral district of Taylor.

The electoral district of Playford is named after the former Premier of South Australia, Sir Thomas Playford. It was first created in 1969, and first contested in the 1970 State election. Whilst the boundaries of the electoral district have changed since that time, its name has not. The City of Playford was formed approximately 18 years later, by the merging of the former City of Elizabeth and City of Munno Para in 1997.

Whilst it acknowledges that there appears to have been, and may be, some confusion on the part of certain ratepayers within the City of Playford regarding which electoral district they are in, as has been reported by Mr Fulbrook, the Commission is not minded to rename the electoral district of Playford. This is so for a number of reasons. First, the electoral district has borne the name of Playford for over 50 years and the City of Playford was created approximately 18 years after the creation of the electoral

district. Secondly, without expressing any view about how future redistributions should occur, there is a possibility that some or all of the City of Playford is brought into the electoral district of Playford at some point, as a consequence of a future redistribution. Thirdly, switching the name of the electoral district with that of another nearby electoral district, like the electoral district of Taylor, may not alleviate the confusion to any material degree, and, in any event, may generate a different kind of confusion, whereby electors presently in Playford and the electoral district whose name would be swapped with Playford fail to learn of or understand the fact of the name swap.

Frome

The Commission also received a representation from the Honourable Reggie Martin MLC advocating for the renaming of the electoral district of Frome. The electoral district is named after the third Surveyor-General of South Australia, General Edward Charles Frome ("the Surveyor-General").

Whilst Mr Martin acknowledged that the Surveyor-General's name has been associated with various South Australian electoral districts since 1884, he expressed concerns about its continued use due to historical accounts of the Surveyor-General's involvement in retributive actions taken against Aboriginal peoples in the Coorong area following what has been referred to as the "Maria Massacre". Mr Andrew Peake OAM also provided a written representation and made oral submissions during the public hearing of the Commission on 12 June 2024. Mr Peake expressed a contrary view to that of Mr Martin with respect to the Surveyor-General's involvement in and responsibility for these retributive actions. Mr Peake also suggested the reintroduction of an electorate named Peake after Archibald Henry Peake, who held the office of Premier of the State on three occasions, including during World War I.

The Commission considered it appropriate, given the representations and submissions regarding the name of Frome, to seek further information from Dr Skye Krichauff, a historian specialising in South Australian colonial history and cross-cultural relations between Aboriginal peoples and colonists. Dr Krichauff's report, "A short history [of] Edward Charles Frome (Surveyor-General of South Australia, 1839-1849) and an investigation into his involvement in the O'Halloran Expedition and the burning of an Aboriginal encampment on the Coorong in 1840", was received by the Commission as exhibit 20A.

Dr Krichauff's report

Dr Krichauff states at the commencement of her report that in its preparation she has drawn extensively on primary sources. She describes that upon hearing news of the killing of survivors of the Maria shipwreck, Governor Gawler instructed the assistant surveyor, William Pullen, to investigate. Dr Krichauff states that upon receiving Pullen's report ("the Pullen report"), Governor Gawler called South Australia's governing council ("the Council") to meet on 12 August 1840:

> …and laid [the Pullen report] before them. The Council was comprised of the Governor, Acting Colonial Secretary, Advocate General, Surveyor General, [and] Assistant Commissioner. On this occasion, Judge Cooper was requested to attend. The Judge and the Advocate General declared the crimes were beyond the reach of ordinary British law.

(Footnotes omitted)

Dr Krichauff describes that on 14 August 1840, Governor Gawler instructed the Police Commissioner, Major O'Halloran, to proceed to "the Elbow of the Goolwa" with a party, including 12 mounted police, Captain Nixon, and Inspector Tolmer. Dr Krichauff annexes to her report a copy of Governor Gawler's handwritten instruction to Major O'Halloran and a transcript which details that the object of the expedition was:

> … to apprehend, and bring to summary justice, the ringleaders in the murder, or any of the murderers (in all not to exceed three) of eight or more white persons …
>
> To this end, your first object should be if possible to make prisoners the whole number congregated with the murderers.
>
> It is of very great importance that if possible in effecting this portion of the duty, no blood should be shed or violence shown or encountered.
>
> The future effect of the expedition on the minds and conduct of the natives will certainly be much more beneficial if the murderers are captured without bloodshed.
>
> This however will probably be the most difficult part of your duty and if in the execution of it you are really compelled to abandon temperate measures and to resort to those of extreme force against the whole tribe you will not be held blamable [sic]. Your duty is to <u>capture the murderers and this object must be effected</u>, if they fall within your reach.
>
> …
>
> When to our own thorough conviction you shall have identified any number not exceeding three of the actual murderers, you will distinctly point out such men and require the deliberate opinions of Mr Pullen, Captain Nixon, and the Encounter Bay blacks, concerning their guilt, and you will make a note by names of those opinions as to guilty or not guilty for the information of the Governor.
>
> You will however act <u>upon your own single deliberate judgement</u>.
>
> Should your mind become satisfied of the guilt as to actual participation in the murder of any number not exceeding three, you will if possible move the whole tribe in your power to the spot at which the murder was committed. You will there explain to the blacks the nature of your conduct and the orders you have received from the Governor, and you will deliberately and formally cause sentence of death to be executed by shooting or hanging upon the convicted murderers not exceeding three as above described.
>
> (Emphasis in original)

Pursuant to Governor Gawler's instruction, Major O'Halloran's expedition started for Goolwa on 17 August 1840. In his first report to Governor Gawler dated 26 August 1840, Major O'Halloran recorded that two culprits were identified and captured and that he investigated the murders before passing the sentence of death. On 25 August 1840, two Milmendjeri men (also referred to as Milmenrura men) were executed by hanging.

Dr Krichauff states in her report that the hanging of the Milmendjeri men was controversial and that Governor Gawler defended his actions before the Council on 15 September 1840. She refers to the opinion of the Law Officers of the Crown ("the

Attorney-General and Solicitor-General of England") that Governor Gawler and Major O'Halloran were guilty of murder. The Commission will return to the opinion of the Attorney-General and Solicitor-General of England later in this report.

Dr Krichauff details in her report that historical evidence indicates that the Surveyor-General was in Adelaide and was not a member of Major O'Halloran's expedition to the Coorong. She points out that he was not named in the list of men in Governor Gawler's instruction, nor was he named in either of Major O'Halloran's reports, Inspector Tolmer's account of the expedition or in any other firsthand account.

Dr Krichauff refers to the Surveyor-General's subsequent expedition to the Coorong as recorded in the Surveyor-General's handwritten report to Governor Gawler dated 15 October 1840, as well as sketches, paintings, and drawings made in his 1840 sketchbook. Dr Krichauff reports that the Surveyor-General's expedition to the Coorong occurred between 24 September and 14 October 1840, during which he travelled along the shore of the Coorong and recorded that he did not meet any Aboriginal people, although he saw some Aboriginal people in the distance on the other side of the Coorong. He also saw the bodies of the men who were "hung for the recent murder of the passengers of the Maria".

Dr Krichauff refers to the Surveyor-General having made several sketches of his expedition from Salt Creek to the Murray Mouth, including the sketches titled "Native Village on the Coorong deserted by the Milmenrura tribe after the murder of the crew of the Maria, burnt by me, Oct. 40" and ""Pilgaru" – two natives hung for murder".

Dr Krichauff concludes her report stating, *inter alia*, "Surveyor General Edward Charles Frome did not accompany O'Halloran or play any role in this expedition. He was in Adelaide at the time. … Frome was not responsible for the death of any Milmenrura or, as far as I have been able to determine, any other Aboriginal people. He was however responsible for burning an Aboriginal village".

Records in the South Australian Gazette

The Commission considered it important to have close regard to matters recorded in the South Australian Gazette consequent on the Pullen report of the killing of the survivors of the shipwreck. Dr Krichauff's report footnotes the gazette of 13 August 1840 which the Commission notes records the following:

> Wednesday, August 12, 1840.
>
> The Council met at 12 o'clock by special summons, present—
>
> His Excellency the Governor
> The Acting Colonial Secretary
> The Advocate General
> The Surveyor General
> The Assistant Commissioner
>
> His Honor the Judge attended at the request of the Governor and Members of Council.
>
> The recent murder of eight Europeans by the Aborigines on the sea-coast to the south-eastward of Lake Alexandrina, and the measures necessary to be taken by the Government with reference thereto were taken into consideration.

The gazette records that Governor Gawler directed that the Pullen report be inserted into the gazette for public information. Prior to the insertion of the Pullen report, the gazette records:

> The Government will immediately take active measures for further investigating this case, in order, if possible, to discover the individuals by whom the murder was committed.

The South Australian Gazette of 17 September 1840 records further detail about the meeting of the Council on 12 August 1840. Under the heading "Journal of the proceedings of the Council", it is recorded:

> Adelaide, Sept. 15, 1840
>
> The Council met at 10 o'clock. Present—
>
> His Excellency the Governor
> The Acting Colonial Secretary
> The Advocate General
> The Surveyor General
> The Assistant Commissioner
>
> The minutes of the last meeting were read and confirmed.
>
> His Excellency read the following minute on the recent murder committed by the aborigines on the Coorong, in the month of August, 1840:—
>
> On the 12th of August last I laid before a Council specially assembled for the purpose, the reports which had been forwarded to me concerning the murder of several Europeans by the natives near the coast to the south-east of Encounter Bay. His Honor the Judge who attended by particular request, and all the members present, including the Advocate General, declared their opinions that the crimes in question were beyond the reach of the ordinary British law.
>
> …
>
> His Honor having withdrawn, the members of the Council concurred with me in opinion, that, notorious as the district referred to had been for its crimes, and brutal and unprovoked as had been most evidently the recent murders, it was imperative that retribution should be inflicted. …

Governor Gawler's minute records that as the alleged crimes were "[b]eyond the limits of ordinary British justice, there remained for [Governor Gawler], in conformity with usage in Great Britain, the course of … proceeding on the principles of martial law. This course [he] adopted". Governor Gawler explains in the minute that "the proclamation of martial law was omitted with the unanimous advice and concurrence of the members of the Council; but in other respects the proceeding was regulated on strict principles of martial justice".

The gazette also records that Governor Gawler laid before the Council the instructions he had given to Major O'Halloran and which Major O'Halloran had acted upon. It is not clear whether the members of the Council were aware of the terms of the instructions prior to the meeting of Council on 15 September 1840. The minute in the gazette describes that Major O'Halloran was expressly charged to:

> … make prisoners if possible without bloodshed—to select the guilty persons from among them—to try them in the most formal manner—to obtain the opinions of the gentlemen who accompanied the party and of the friendly natives present—and then, if the proof of guilt were sufficient, to pass sentence and proceed to formal execution.

The Commission notes that the handwritten instructions given to Major O'Halloran, as quoted at page 19 of this report, differ from the instructions described in the minute.

Governor Gawler's minute records that he also laid before the Council on 15 September 1840 the minutes of the investigation conducted by Major O'Halloran. The gazette records that the Advocate General, with the permission of Governor Gawler, entered remarks into the gazette endorsing the retributive actions taken on Governor Gawler's instruction.

Colonial response to the hanging of the Milmendjeri men

In the article referred to by Mr Martin in his representation, 'The "Coorong Massacre": Martial Law and the Aborigines at first settlement',[2] Stephen Lendrum states Major O'Halloran:

> … could not have begun to realise what he was to face on his return to Adelaide. Over the following few months he and Gawler were to be subjected to severe and damaging criticism; criticism which seems to have contributed to an early end to Gawler's commission as Governor. They were both about to become the centre of a debate as to the legality of the procedure adopted to try the two Milmenrura Aborigines, which was to reach a climax with the declaration by the Colonial Department that the hanging was an act of murder and that all those who had taken part were guilty of this crime.

The Commission notes, by reference to Mr Lendrum's article, the Colonial Department in England requested the Attorney-General and Solicitor-General of England to provide their opinion regarding the hanging of the Milmendjeri men. The opinion provided by the Attorney-General and Solicitor-General of England was that:

> … the murders with which the Aborigines were charged having been committed within the limits of the province defined under the authority of an Act of Parliament the Aborigines might have been brought to trial for them in the ordinary legal tribunals of the colony; that the summary execution of the supposed murderers was contrary to law; that the legal character of the act is murder, – Major O'Halloran and those who were present assisting him being guilty as principals and Governor Gawler being guilty as an accessory before the fact; and that they can only be indemnified by Act of Parliament, or by a Pardon under the Great Seal.

Professor Watson's submission

The Commission also sought the assistance of Aboriginal Affairs and Reconciliation and was referred to Professor Irene Watson, a Professor of Law at the University of South Australia. In her submission, received by the Commission as exhibit 21A, Professor Watson said she is connected to the Coorong and the South-East region as a traditional owner belonging to the Tanganekald, Meintangk, Potaruwutj, and Bunganditj First Nations. Her apical ancestors Jimmy Gibson, Katherine Gibson and Kitty Russell are significant Elders who have been used in the process of constructing the "Ngarriindjeri" native title claim and the South-East First Nations native title claim. Professor Watson's ancestors and family have an ancient connection to the "Maria Creek" and her mother Noeline (Gibson) Casey was born in 1936 on land adjacent to the Maria Creek, Kingston.

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2 (1977) 6(1) *Adelaide Law Review* 27.

Professor Watson reports that she had had an opportunity to consider Dr Krichauff's report and is very familiar with the archival research which informed it. Professor Watson reports that she had previously engaged and directed Dr Krichauff as a research assistant in respect of her work on her Australian Research Council project and to gather archival records about the Coorong massacres in relation to the Maria shipwreck.

Professor Watson states that the Surveyor-General's burning of a Milmendjeri village is evidenced by his sketch and its caption. Professor Watson refers to references in Dr Krichauff's report regarding reports of the Surveyor-General's instructions to treat Aboriginal people without violent intent and the need to record Aboriginal languages. Professor Watson queries whether these accounts justify leaving Frome as the name of an electoral district, or whether there is enough doubt created by his sketch and its narrative to make the change.

Professor Watson, while suggesting that renaming the electoral district after an Aboriginal person or a pre-colonial Aboriginal First Nation would be a symbolic acknowledgement, stated that the change of name is of small consequence in the context of the ongoing impact of colonialism.

The Commission's decision

The Commission acknowledges the contribution and assistance of Dr Krichauff and Professor Watson.

The Commission has determined that the electoral district of Frome should be renamed having regard to the following matters.

Whilst the Surveyor-General did not accompany Major O'Halloran on his expedition, the South Australian Gazette records he was present as a member of Council at the meeting on 12 August 1840 when the Government's response to the Pullen report was discussed. By reference to the record in the gazette on 17 September 1840, the members of the Council present at the meeting on 12 August 1840 concurred with Governor Gawler "that notorious as the district referred to had been for its crimes, and brutal and unprovoked as had been most evidently the recent murders, it was imperative that retribution should be inflicted". The gazette also records that Governor Gawler proceeded on the principles of martial law and that the proclamation of it was omitted with the unanimous advice and concurrence of the members of the Council.

The Commission notes that the execution of the two Milmendjeri men was controversial and was the subject of intense (although not universal) criticism in colonial South Australia and England, including by the Adelaide newspaper, The South Australian Register. The Commission also notes that the Attorney-General and Solicitor-General of England provided an opinion to the effect that Major O'Halloran, and those who assisted him on his expedition, had carried out acts of murder and that Governor Gawler was guilty as an accessory before the fact. Governor Gawler and Major O'Halloran were never charged, but it appears that the controversy led to an early end to Governor Gawler's commission.

Having regard to the Surveyor-General's recorded concurrence with Governor Gawler on the matters detailed above during the Council meeting of 12 August 1840, in combination with his admission of burning the camp "… deserted by the Milmenrura tribe after the murder of the crew of the Maria", the Commission regards the name of Frome as unsuitable for a House of Assembly electoral district in the Parliament of South Australia.

The Commission considered it appropriate to use an Aboriginal name or word to rename the electoral district of Frome. To that end, the Commission invited the comment of Aboriginal organisations who may have a connection with the area encompassed by the electoral district of Frome. Enquiries were made of the Aboriginal Lands Trust, Ngadjuri Nation Aboriginal Corporation, Kaurna Yerta Aboriginal Corporation RNTBC, River Murray and Mallee Aboriginal Corporation, Mannum Aboriginal Community Association Inc, and First Peoples of the River Murray Mallee Region #2 as to whether they would support "Ngadjuri" or alternatively the word "Cowie" as a new name for the electoral district of Frome.

"Ngadjuri", pronounced *'Na-dju-ri'*, means "we people" and refers to the Ngadjuri people, whose traditional lands cover the mid north region of South Australia.

In July 2023, the Ngadjuri people were recognised as native title holders over an area of more than 15,000 square kilometres, encompassing approximately 50% of the electoral district of Frome including the towns Hilltown, Clare, Mintaro, Watervale, Auburn, Waterloo, Saddleworth, Rhynie, Riverton, Marrabel, Tarlee, Freeling, Kapunda, Eudunda, and Robertstown.

"Cowie" means "water" in the Ngadjuri language and appears frequently as a suffix in Ngadjuri-based nomenclature.

The Commission received responses from the Aboriginal Lands Trust and the Ngadjuri Nation Aboriginal Corporation. Both responses strongly supported the use of the name "Ngadjuri".

Accordingly, the Commission has decided to rename the electoral district of Frome as the electoral district of Ngadjuri.

Proposals for commemorative naming

The Commission received a number of representations and heard submissions regarding the commemorative naming of electoral districts following the recent deaths of Mr Raymond Steele Hall and Ms Lowitja O'Donoghue AC CBE DSG. While the preliminary view of the Commission is that the names O'Donoghue and Hall are appropriate for an electoral district, the current practice of the Surveyor-General when considering names for places under the *Geographical Names Act 1991* (SA) is that a person should be deceased for at least one year before their name is considered commemoratively for a geographical place. To achieve consistency and uphold the principles underpinning the Surveyor-General's current practice, the Commission has determined to follow this practice for the purpose of this redistribution.

The Commission also received representations regarding the commemorative naming of electoral districts in honour of Miss Elizabeth Hanretty MBE, Dr John Bannon AO

and Dr David Tonkin AO. The Commission is of the view that each of these names may be appropriate for an electoral district in a future electoral redistribution.

Acknowledgements

The Commission records its gratitude to Mr David Gully (the Commission Secretary), Ms Jo-Anne Ragless, (Lead Analyst, Analytics and Forecasting, Department for Housing and Urban Development), Mr Jason Phillips (Team Leader, Spatial Planning, Department for Housing and Urban Development) the staff of the Electoral Commission of South Australia and the Department for Housing and Urban Development, Ms Sarah Schonfeldt (the Chairperson's Judicial Assistant), Ms Olivia Bradley (the Chairperson's Associate), and Mr Tom Besanko (Counsel assisting the Commission).

We also thank the staff of the Courts Administration Authority for facilitating, and providing courtrooms and transcript for, the Commission's hearings. The Commission again thanks those persons who provided written representations and submissions or who gave evidence or presented argument at the public hearings.

The schedule

The district plans of the 47 House of Assembly electoral districts which follow in this schedule and are named, delineated, and described therein, define the boundaries of the electoral districts consequent upon this electoral redistribution.